

29964-10

1/11/2013

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

11/6

JAN 11 2013

Mr. Jamie Staley  
 Pioneer Hi-Bred International, Inc.  
 7100 NW 62<sup>nd</sup> Avenue  
 Johnston, IA 50131

Re: Optimum® AcreMax® RW Insect Protection  
 EPA Reg. No. 29964-10  
 Submission dated November 28, 2012  
 Decision No. 472987

Dear Mr. Staley:

The Agency has reviewed your request to amend the subject product registration which includes the following changes to the product label:

Update the expiration date to September 30, 2014 in accordance with the extension to the expiration date approved in a letter dated September 20, 2012.

The amendment referred to above, submitted in connection with registration under FIFRA section 3(c)(7)(A), is acceptable provided that you:

1. Submit and/or cite all data required for registration of your product under FIFRA section 3(c)(5) when the Agency requires all registrants of similar products to submit such data.
2. Before sale and distribution, ensure that the correct establishment number appears on the label or the immediate container in accordance with 40 CFR 156.10(f). To verify that the establishment number for a given facility is correct, check with the appropriate compliance contact based on the location of the establishment. Contacts are listed at <http://www.epa.gov/compliance/contact/monitoring-establish.html>.
3. Submit two (2) copies of your final printed labeling before you release the product for shipment. Refer to the A-79 enclosure for a further description of a final printed label.

If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6(e). Your release for shipment of the product bearing the amended labeling constitutes acceptance of these conditions.

A stamped copy of the label is enclosed for your records.

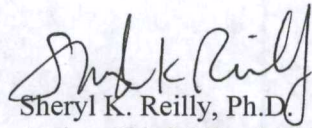
## CONCURRENCES

SYMBOL	7511P	7511P	7511P					
SURNAME	a. schold	Keynolds	Paul					
DATE	1/7/13	1/8/13	1/10/13					1

2/6

If you have questions, please contact Ann Sibold by phone at (703) 305-6502 or by email at [sibold.ann@epa.gov](mailto:sibold.ann@epa.gov).

Sincerely,



Sheryl K. Reilly, Ph.D.  
Acting Chief, Microbial Pesticides Branch  
Biopesticides and Pollution Prevention  
Division (Mail Code 7511P)

Enclosures (2):  
A-79  
Stamped Label

Revised 5/82

**A-79 ENCLOSURE**

Final printed labeling is defined as that labeling which will accompany the pesticide product to market, and includes not only the container label, but also all accompanying technical information, brochures, etc.

Final printed labeling for the Agency's files should be of a size that can be stored conveniently in 8 1/2 x 11 inch files. Labels may be mounted or photoreduced to meet the size requirements provided the printing is legible and is of microfilm reproduction quality. Should photo reduction make any of the text illegible, the text must be typed out on an accompanying sheet of paper.

PASTE-ON LABELING: This should be submitted as is, unless it requires photo reduction.

SCREEN PRINTED LABELING: These labels should be printed by taping paper on the container as it goes through the printing process. The actual container should not be submitted.

EMBOSSSED LABELING: These labels should be photocopied.

UNUSUAL SIZE LABELING: Large bags or boxes must be photoreduced, either the entire label on one reduction or in sections so that each section is 8 1/2 x 11 inches.

4/  
6

# Type Size Requirements for 3 Front Panel Headings

Size of front panel  
square inches

Minimum type size for  
"RESTRICTED USE PESTICIDE"  
(if required) and Signal  
Word in capital letters

Minimum type for  
"Storage and Disposal"  
heading & "Keep Out of  
Reach  
of Children" warning

5 and under  
above 5 to 10  
above 10 to 15  
above 15 to 30  
over 30

6 point  
10 point  
12 point  
14 point  
18 point

6 point  
6 point  
8 point  
10 point  
12 point

5/6

## Optimum<sup>®</sup> AcreMax<sup>®</sup> RW Insect Protection

### Active Ingredients:

*Bacillus thuringiensis* Cry34Ab1 protein and the genetic material (PHP17662 T-DNA)  
necessary for its production in corn event DAS-59122-7 ..... ≤0.0088%\*

*Bacillus thuringiensis* Cry35Ab1 protein and the genetic material (PHP17662 T-DNA)  
necessary for its production in corn event DAS-59122-7 ..... ≤0.00181%\*

### Other Ingredient:

Phosphinothricin acetyltransferase (PAT) protein and the genetic material (PHP17662 T-DNA)  
necessary for its production in corn event DAS-59122-7 ..... ≤0.000058%\*

---

\*% total protein on a dry wt. basis as expressed in whole plant tissue

**KEEP OUT OF REACH OF CHILDREN**

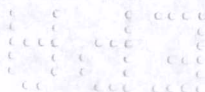
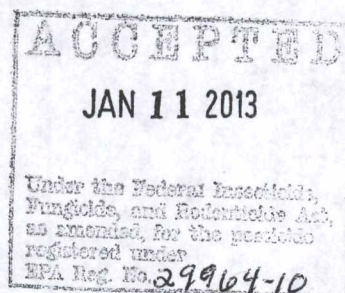
**CAUTION**

NET CONTENTS \_\_\_\_\_

EPA REGISTRATION NUMBER: 29964-10

EPA ESTABLISHMENT NUMBER: 029964-IA-001

Pioneer Hi-Bred International, Inc.  
7300 NW 62<sup>nd</sup> Avenue  
Johnston, IA 50131



## DIRECTIONS FOR USE

It is a violation of federal law to use this product in a manner inconsistent with its labeling.

The subject registration automatically expires on midnight September 30, 2014.

The plant-incorporated protectant product must be used as specified in the terms and conditions of the registration.

Optimum® AcreMax® RW Insect Protection corn has been transformed to express *Bacillus thuringiensis* strain PS149B1 Cry34/35Ab1 insecticidal crystal proteins (ICP) for the control of western corn rootworm (*Diabrotica virgifera virgifera*), northern corn rootworm (*Diabrotica barberi*) and Mexican corn rootworm (*Diabrotica virgifera zeae*) pests.

Routine application of insecticides to control western corn rootworm, northern corn rootworm, or Mexican corn rootworm are unnecessary for corn containing the *B.t.* Cry34/35Ab1 ICP.

## INSECT RESISTANCE MANAGEMENT

Optimum® AcreMax® RW Insect Protection corn contains a corn rootworm refuge that is "in the bag" and is automatically implemented when the grower plants the product.

## USE PATTERN

Crop	Pests
Field corn	western corn rootworm northern corn rootworm Mexican corn rootworm

